

# **Registry of the Specific Claims Tribunal of Canada**

**2011–2012**

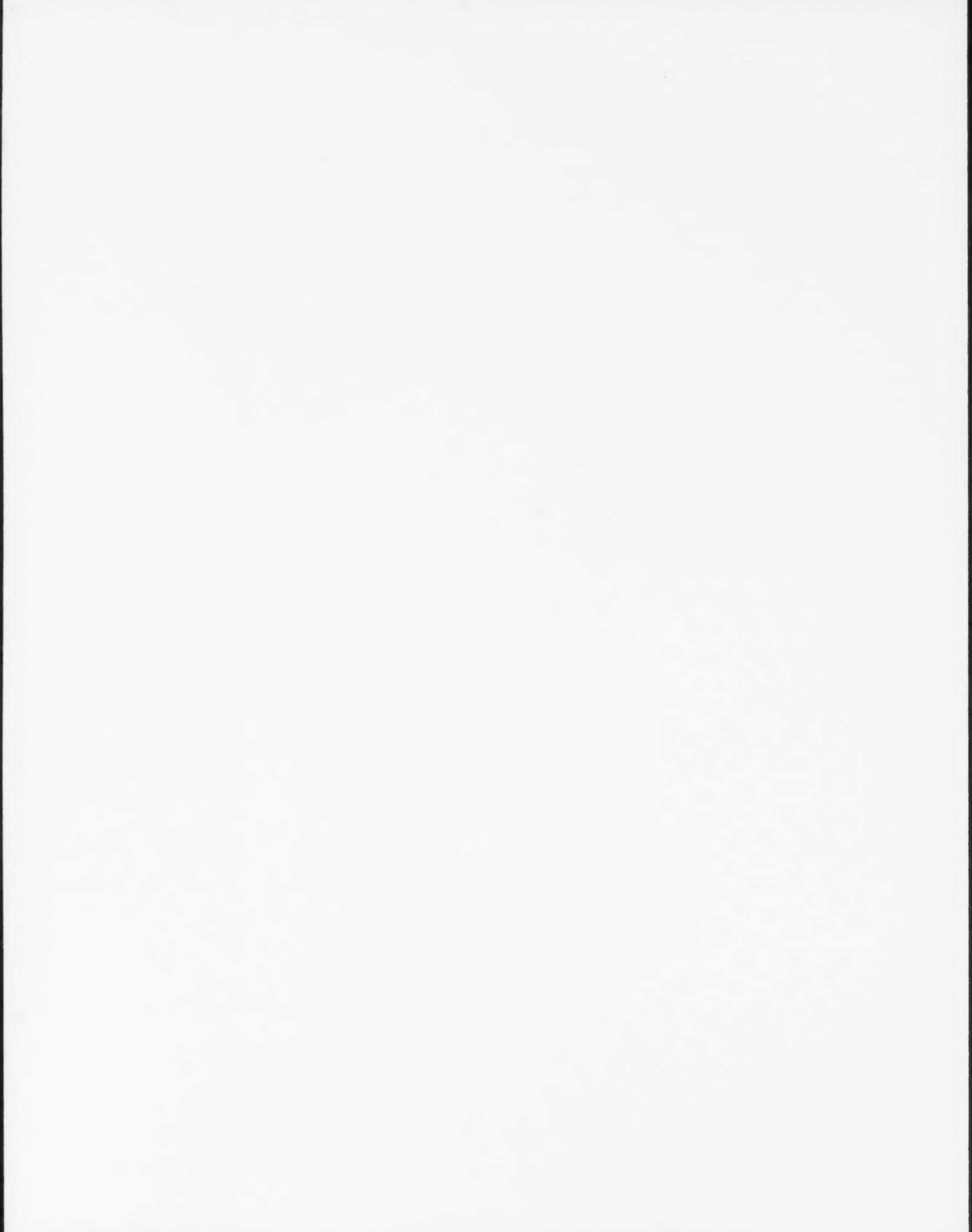
## **Report on Plans and Priorities**

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The Honourable John Duncan  
Minister of Indian and Northern Affairs and Federal  
Interlocutor for Métis and Non-Status Indians

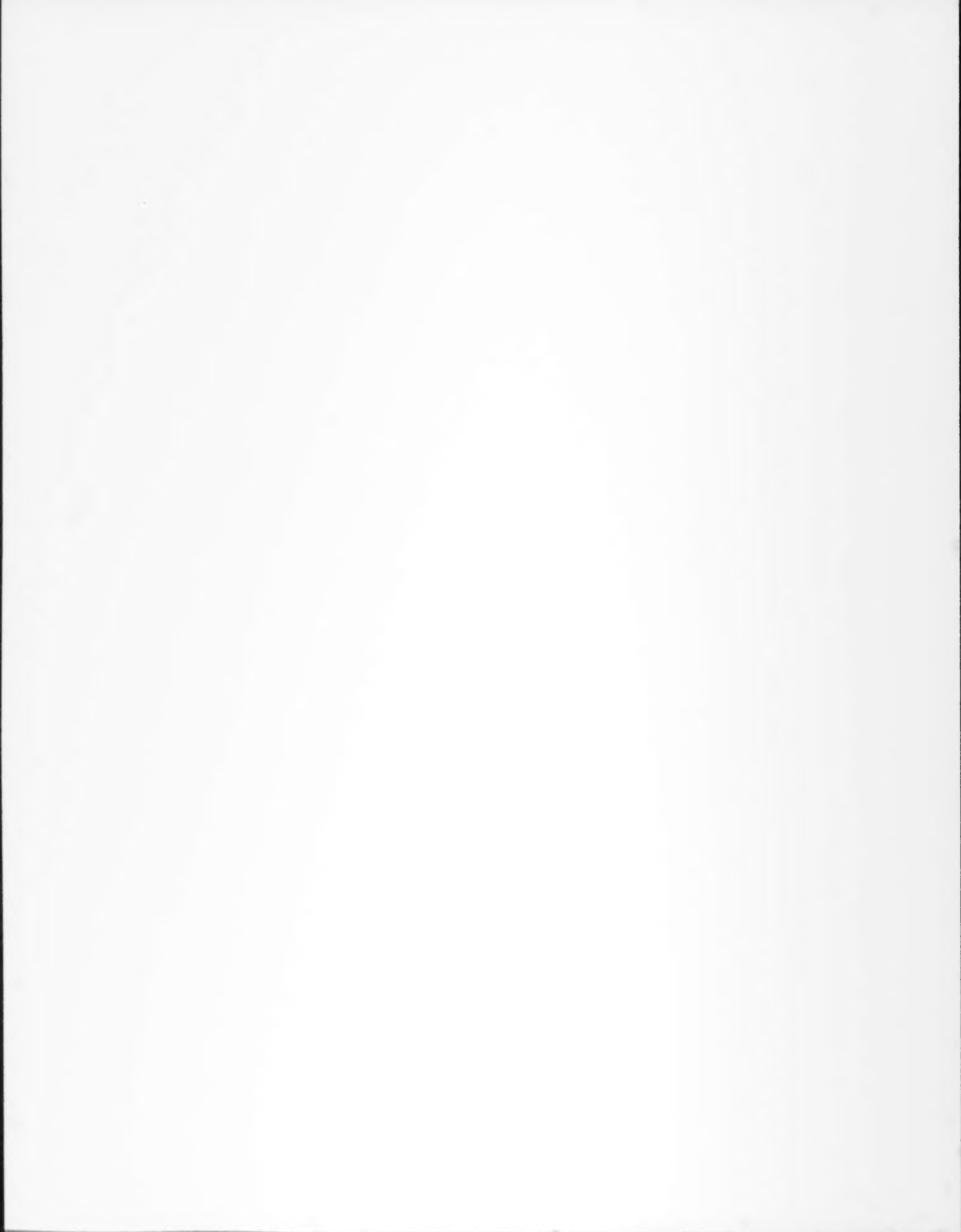
### **ERRATUM**

The Prime Minister announced on May 18, 2011 that the Minister's title has changed from Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians to Minister of Aboriginal Affairs and Northern Development.



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## **Deputy Head's Message**

I am pleased to present Registry of the Specific Claims Tribunal's 2011-12 Report on Plans and Priorities. It demonstrates our commitment to the provision of an administrative infrastructure to the Specific Claims Tribunal (the Tribunal) while safeguarding the independence of the Tribunal from the executive branch of government.

Our priorities this year will focus on the provision of enhanced support to Tribunal Members, the development of technologies and the implementation of sound management practices. The environment in which the organization has been operating since it was established will change significantly as the Tribunal will begin accepting Specific Claims from First Nations.

It is with great enthusiasm that we enter a new phase in the journey of the Tribunal. To meet expectations, the Registry will continue to invest in people with a view to attract, train and retain those with the skills and experience required to meet its mandate. I am confident that the challenges before us will be met by superior efforts from our staff to ensure we remain responsive to the needs of Tribunal Members, parties and the Canadian public in support of resolving Specific Claims fairly and expeditiously.

Initiatives undertaken by the Registry over the year will contribute to advancing the Tribunal's priorities. The intake of claims will be closely monitored to ensure their efficient processing, and the potential realignment of resources to mitigate the risks associated with the increased workload.

I look forward to the opportunities that lie ahead in supporting the Tribunal in its adjudication of Specific Claims.

It is my pleasure to present this year's Report on Plans and Priorities for the Registry of the Specific Claims Tribunal of Canada.

Raynald Chartrand, CMA  
For the Deputy Head and Registrar  
Registry of the Specific Claims Tribunal of Canada



## **Section I: Departmental Overview**

## **Raison d'être and Responsibilities**

The Specific Claims Tribunal is an independent tribunal established under the *Specific Claims Tribunal Act* (which came into force October 16, 2008) to adjudicate First Nations grievances against the Crown. The Tribunal has the express mandate of deciding Specific Claims including claims related to the non-fulfilment of treaties, fraud, illegal leases and dispositions or inadequate compensation for reserve lands or other assets. The purpose of the *Specific Claims Tribunal Act* is to resolve outstanding grievances and to encourage reconciliation between First Nations and the Crown.

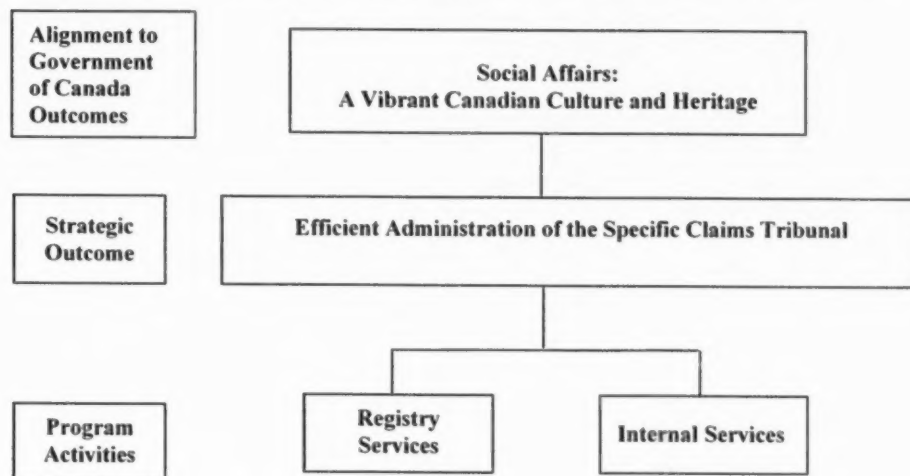
*The Specific Claims Tribunal Act* provides for an administrative infrastructure in support of the work of the Specific Claims Tribunal through the Registry of the Specific Claims Tribunal. The Registry is designated as a government department under Schedule I.1 of the *Financial Administration Act*, and therefore must adhere to federal public administration policies including the preparation of this Report on Plan and Priorities. This report pertains to the activities of the Registry in support of the Tribunal, and not to the Tribunal claims themselves.

The Registry of the Specific Claims Tribunal supports all aspects of the Tribunal's work to ensure that the Tribunal can hold hearings. The Registry is also the repository for filing claims and all documents and orders for all claims brought before the Tribunal. The office of the Registry is located in the National Capital Region.



## Strategic Outcome and Program Activity Architecture

The chart below illustrates the Registry of the Specific Claims Tribunal's framework for how its program activities contribute towards its strategic outcome.



## Planning Summary

### Financial Resources (\$ thousands)

2011-12	2012-13	2013-14
\$2,851	\$2,851	\$2,851

The financial resources table above provides a summary of the total planned spending for the Registry of the Specific Claims Tribunal for the next two fiscal years. The Registry was established in 2008 and funding was provided for five years only. Additional funding will have to be requested for 2013-14 and future years.

### Human Resources (Full-time Equivalents – FTEs)

2011-12	2012-13	2013-14
17	17	17

The human resources table above provides a summary of the total planned human resources for the Registry of the Specific Claims Tribunal for the next two fiscal years. The Registry was established in 2008 and funding for human resources was provided for five years. Additional funding authorities will have to be requested for 2013-14 and future years.

<b>Strategic Outcome: Efficient Administration of the Specific Claims Tribunal</b>					
<b>Performance Indicators</b>		<b>Targets</b>			
Client level of satisfaction regarding quality of service		80% satisfaction			
Tribunal Members' level of satisfaction regarding quality of service		80% satisfaction			
<b>Program Activity<sup>1</sup></b>	<b>Forecast Spending 2010–11</b>	<b>Planned Spending (\$ thousands)</b>			<b>Alignment to Government of Canada Outcomes</b>
		<b>2011–12</b>	<b>2012–13</b>	<b>2013–14</b>	
Registry Services	\$1,250	\$1,454	\$1,454	\$1,454	Social Affairs: A Vibrant Canadian Culture and Heritage
Internal Services	\$1,590	\$1,397	\$1,397	\$1,397	
<b>Total Planned Spending</b>		<b>\$2,851</b>	<b>\$2,851</b>	<b>\$2,851</b>	

<sup>1</sup> For program activity descriptions, please access the Main Estimates online at <http://publiservice.tbs-sct.gc.ca/est-pre/index-eng.asp>

## Contribution of Priorities to Strategic Outcome

Operational Priorities	Type	Links to Strategic Outcome	Description
Support Tribunal Members in implementing Rules of practice and procedure	New	Efficient administration of the Specific Claims Tribunal	<p><b>Why is this a priority?</b> The Tribunal will begin accepting claims in 2011-12 and it is important for the Registry to be in a position to provide accurate and timely information regarding the filing of claims and the processing of documents.</p> <p><b>Plans for meeting this priority</b> Information sessions will be provided by the Legal Advisor on the interpretation of the Rules of procedure and associated guidelines developed by Tribunal Members.</p>
Provide the Tribunal the infrastructure required to hear claims	New	Efficient administration of the Specific Claims Tribunal	<p><b>Why is this a priority?</b> With the filing of the first claims at the Tribunal in 2011-12 it is important for the Registry to be able to provide the Tribunal the support it needs respecting human resources, accommodation and technology to efficiently process claims.</p> <p><b>Plans for meeting this priority</b> The establishment of priorities and the close monitoring of projects and activities in support of the priorities, as well as the development of options in order to mitigate any associated risk.</p>

<b>Operational Priorities</b>	<b>Type</b>	<b>Links to Strategic Outcome</b>	<b>Description</b>
Develop and implement an electronic registry and case management system	On-going	Efficient administration of the Specific Claims Tribunal	<p><b>Why is this a priority?</b> The electronic system will allow clients to file documents electronically through the Registry website and allow Tribunal Members immediate access to case documents from their respective Chambers across Canada, and facilitate the remote administration of Tribunal proceedings.</p> <p><b>Plans for meeting this priority</b> Priority will be met by contracting for the configuration of the case management system based on business processes and operational needs.</p>

<b>Management Priorities</b>	<b>Type</b>	<b>Links to Strategic Outcome</b>	<b>Description</b>
Development of work descriptions and staffing for Registry positions	On-going	Efficient administration of the Specific Claims Tribunal	<p><b>Why is this a priority?</b> Registry staff play a critical role in the delivery of registry services. Registry Officers attend all Tribunal proceedings and support the presiding Tribunal Member. Qualified staff will provide effective Registry operations.</p> <p><b>Plans for meeting this priority</b> Priority will be met by developing work descriptions, based on similarly situated administrative tribunals, and conducting targeted recruitment activities focused on candidates with legal and cultural knowledge and experience.</p>

Management Priorities	Type	Links to Strategic Outcome	Description
Delivery of training including cultural, values and ethics, and professional development	On-going	Efficient administration of the Specific Claims Tribunal	<p><b>Why is this a priority?</b> Learning and development is important for a vibrant and competent work force. Registry staff must exercise their duties in a culturally respectful manner and in a way that respects the values and ethics of the public service.</p> <p><b>Plans for meeting this priority</b> Priority will be met by creating orientation material for staff, working with organizations for the provision of cultural training, values and ethics sessions, and the development of learning plans.</p>

## Risk Analysis

The Registry of the Specific Claims Tribunal has an ongoing major planning challenge in that the Tribunal responds to claims that are filed. However, claims, although eligible, may not always be filed by a claimant. Many factors affect whether to file a claim. Consequently, like any other, the Registry's activities are driven by external demands to which it can only react rather than plan for.

Claims may be submitted to the Specific Claims Tribunal only after they have been first submitted to the Specific Claims Branch at Indian and Northern Affairs Canada (INAC) and gone through the Specific Claims process at INAC.

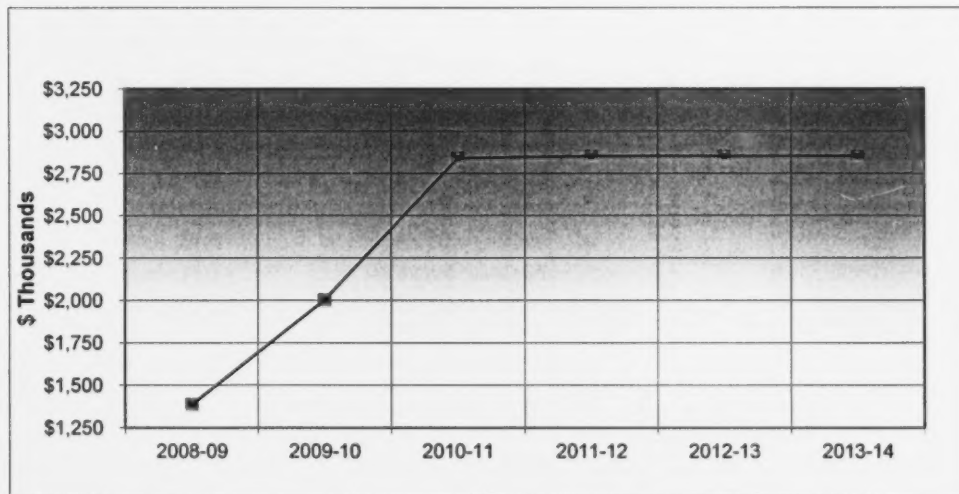
It is estimated that there are currently 74 claims that may be eligible for filing at the Tribunal, and an additional 527 claims in progress at various stages with INAC. The decision to file a claim with the Tribunal rests with a First Nation. It is difficult to gauge the number of probable filings at the outset at this time.

The final substantive risk that the Registry faces relates to the relative workload associated with claims that will be filed. There is no baseline information for an accurate assessment of the resources and time required to process an average claim because the Registry has not been operational. The volume of claims filed with the Tribunal may lead to the need for additional support for Tribunal Members that has not currently been allocated.

The funding requirement will vary directly with the number of claims heard. Registry support is set up to be scalable, in line with the volume of work, but should the number of claims filed be significantly higher than expected, or should the hearings take much longer than anticipated, additional financial resources might be required to support the hearing of claims. This matter will be closely monitored to ensure the Registry can continue to support the Tribunal in the delivery of its mandate.

## Expenditure Profile

### Departmental Spending Trend



The Registry expects to utilize its full authorized funding in 2011-12. The Tribunal will start accepting claims in 2011-12. Therefore, additional staff in direct support to claims processing will be added to the Registry during the first quarter of the fiscal year. Also, additional work needs to be completed on the electronic registry. The Registry cannot forecast the Tribunal's workload, it can only react to it. The expenditures will be closely monitored throughout the year to ensure the Registry can support the Tribunal in meeting its mandate.

### Estimates by Vote

For information on our organizational votes and statutory expenditures, please see the 2011-12 Main Estimates publication. An electronic version of the Main Estimates is available at <http://www.tbs-sct.gc.ca/est-pre/20112012/me-bpd/toc-tdm-eng.asp>

## **Section II: Analysis of Program Activities by Strategic Outcome**



## Strategic Outcome

### Efficient Administration of the Specific Claims Tribunal

The following section describes the Registry's two program activities and identifies their respective expected results, performance indicators and targets.

## Program Activity by Strategic Outcome

### Registry Services

Program Activity: Registry Services					
Human Resources (FTEs) and Planned Spending (\$ thousands)					
2011-12		2012-13		2013-14	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
11.5	\$1,454	11.5	\$1,454	11.5	\$1,454

Registry Services: Expected Results	Performance Indicators	Targets
Facilitate timely access to the Specific Claims Tribunal through client service, quality of advice, efficient and timely processing, and unbiased service delivery.	A Registry staffed with qualified individuals capable of providing corporate and registry services in an efficient and effective manner.	<ul style="list-style-type: none"> <li>• Completion of Registry staffing processes.</li> <li>• Delivery of developmental staff training.</li> <li>• Administration of Registry within financial allocation.</li> </ul>
	An electronic Registry that utilizes technology to introduce efficiencies and overcome logistical challenges associated with administering a national tribunal.	<ul style="list-style-type: none"> <li>• Operational electronic registry and case management system.</li> <li>• Electronic filing through the Registry's website.</li> <li>• Immediate access by Tribunal Members to case documents from their respective Chambers across Canada.</li> </ul>



## Planning Highlights

To achieve our expected results, our priorities this year will focus on the provision of enhanced support to Tribunal Members, the development of technologies and the implementation of sound management practices. The environment in which the organization has been operating since it was established will change significantly as the Tribunal will begin accepting claims.

## Benefits for Canadians

The Registry's strategic outcome is aligned with *Social Affairs: A Vibrant Canadian Culture and Heritage*.

The long-term benefit for Canadians will be the efficient, effective and fair resolution of outstanding Specific Claims across Canada, some of which currently are an impetus for disputes causing financial and psychological impacts on Canadians. Efficient support provided to the Tribunal will create value for Canadians by saving costs associated with traditional litigation, conflicts, and lengthy negotiations.

Resolution of Specific Claims through the Specific Claims Tribunal will also contribute to reconciliation between and among First Nations, other Canadians, and the Government of Canada.

## Internal Services

Program Activity: Internal Services					
Human Resources (FTEs) and Planned Spending (\$ thousands)					
2011-12		2012-13		2013-14	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
5.5	\$1,397	5.5	\$1,397	5.5	\$1,397

Internal Services: Expected Results	Performance Indicators	Targets
High-quality internal services to the Registry function to ensure the infrastructure is in place to assist the Tribunal in meeting its mandate	Continuous review or development of internal policies	25% per year
	Public Service Commission and Receiver General's rating of financial and human resources management	80%

## **Program Activity Summary and Planning Highlights**

This program activity is intended to establish internal service expectations and monitor the overall service performance of the Registry. The Registry intends to follow the Management Accountability Framework<sup>2</sup> management practices to act in the best interest of its Members, its employees and Canadians.

The planning highlights include the implementation of a policy renewal life cycle strategy that will cover areas ranging from human resources, to risk management, to financial management.

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<sup>2</sup> The Management Accountability Framework can be accessed online at <http://www.tbs-sct.gc.ca/maf-crg/index-eng.asp>

## **Section III: Supplementary Information**

## Future-oriented Condensed Statement of Operations

For the year ended March 31

(\$ thousands)

	% change	Future-oriented 2011-12	Future-oriented 2010-11
Expenses	N/A	\$3,358	N/A
Total Expenses			
Revenues	N/A	0	N/A
Total Revenues			
Net Cost of Operations	N/A	\$3,358	N/A

The Registry expects to utilize its full authorized funding in 2011-12. The Tribunal will start accepting claims in the early part of the fiscal year. The Registry cannot forecast the Tribunal's workload, it can only react to it. The expenditures will be closely monitored throughout the year to ensure the Registry can support the Tribunal in meeting its mandate.

The following electronic link will bring you to the organization's future-oriented financial statement available on the Registry of the Specific Claims Tribunal website:  
[http://sct-trp.ca/repor/repor\\_e.htm](http://sct-trp.ca/repor/repor_e.htm)

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